

UNITED STATES DISTRICT COURT
District of Maine

DANIEL CHASE,)	
)	
Plaintiff)	1:20-cv-00287-JAW
)	
vs.)	
)	
JEFFREY KINNEY, DANIEL)	
PLACE, DAVID FARRAR, MICHEL)	
PINA, AND DYLAN HALL and)	
CITY OF BANGOR,)	
)	
Defendants)	

DEFENDANTS, CITY OF BANGOR, JEFFREY KINNEY, DANIEL PLACE,

DAVID FARRAR, MICHAEL PINA, AND DYLAN HALL'S

OJBECTIONS TO PLAINTIFF, DANIEL CHASE'S,

CONSTITUTION CHALLENGE (ECF Document 28, dated May 12, 2021)

NOW COME the Defendants, City of Bangor, Jeffrey Kinney, Daniel Place, David Farrar, Michael Pina and Dylan Hall, (hereinafter, "Bangor Defendants") by and through their counsel, Richardson, Whitman, Large & Badger, and hereby jointly object to Plaintiff, Daniel Chase's, Constitutional Challenge (ECF Document 28, dated May 12, 2021) as follows:

Bangor Defendants were served with two documents, which may be pleadings. Those documents appear to be directed to the Court not the Defendants. Should a responsive pleading be required, Defendants object to "the Constitutional Challenge" (ECF Document 28), and what appears to be allegations of ADA violations against Court

staff and the demand for the Court to explain within 15 days Federal Rule of Civil Procedure 72 (Court categorized as “Motion for Clarification,” ECF Document 27).

The Bangor Defendants attach to this response for the Court’s consideration, two Decisions of the Maine Supreme Judicial Court dealing with the same issues as presented here (*State of Maine v. Daniel L. Chase*, 2017 ME 43 (decided March 9 , 2017) and *State of Maine v. Daniel L. Chase*, 2018 ME 43 (decided January 23,2018)). (Attached hereto as Exhibit 1 and Exhibit 2.) Any Pro Se Plaintiff with the experience of at least two Appellate cases has demonstrated he is capable of understanding and following the legal process. Defendants provide these for any claim or issue preclusion that the Court may choose to give the prior rulings. The Defendants are not in this litigation voluntarily and certainly not for Plaintiff’s amusement or his pursuit for ratification of his irrelevant legal theories. Defendants request the Court consider any remedy it deems appropriate under F.R.Civ.P. 11 or any other basis, to prevent the unnecessary expense to Defendants in having to respond to such Motions.

WHEREFORE, Bangor Defendants, for the reasons as stated above, object to Plaintiff’s Constitutional Challenge and pray the Court deny the same affording these

Defendants costs, Attorney's fees and such other and further relief as the Court finds just and proper.

DATED: May 13, 2021

/s/ Frederick F. Costlow

Frederick F. Costlow, Esq. (Bar No. 3823)
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Attorney for Bangor Defendants

CERTIFICATE OF SERVICE

This is to certify that on this 13th day of May 2021, Bangor Defendants' Joint Objection to Plaintiff's Constitutional Challenge was electronically filed with the Court using the CM/ECF system, which will see that a conformed copy of this filing will be served upon the following:

1. Daniel Chase, Pro Se Plaintiff

By Regular U.S. Mail at:

Daniel Chase

177 Brann Road

Levant, ME 04456

2. Frederick F. Costlow, Esq.; Attorney for Bangor Defendants; VIA EMAIL at fcostlow@rwlb.com.

/s/ Frederick F. Costlow

Frederick F. Costlow, Esq. (Bar No. 3823)

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